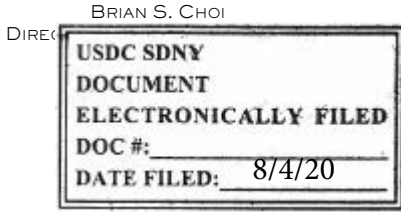


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July 30, 2020

By ECF

Hon. Alison J. Nathan
U.S. District Court
40 Foley Square
New York, New York 10007

The Initial Pretrial Conference in this matter is hereby adjourned sine die. The parties are directed to submit a joint status letter no later than October 1, 2020.

Re: Pappas v. XP Investments US, LLC, et ano., No. 19cv11137

Dear Judge Nathan:

We represent Defendant XP Investments US, LLC ("XP US") in the above-captioned matter. Together with Plaintiff's counsel, we write to request an adjournment of the initial conference scheduled for August 7, 2020. This is the third request for adjournment by either party.

Plaintiff is currently in the process of effecting service on XP Controle Participacoes S.A. ("XP Brazil"), an entity located in Brazil, pursuant to the Hague Convention. According to Plaintiff's counsel, the Brazil Central Authority has indicated that, as of July 22, the "[t]he Rogatory Letter is being implemented." Accordingly, the process of serving XP Brazil remains pending.

The parties recognize the complexities associated with serving a foreign entity. To avoid repeated requests for adjournment based on dates that are difficult to predict with any measure of precision or certainty, the parties jointly request a *sine die* adjournment of the initial conference until Plaintiff receives confirmation that XP Controle has been formally served by the Brazilian Central Authority. The parties agree that within five (5) business days of obtaining confirmation, they will jointly file a uniform case management plan and letter addressing the various directives set forth in this Court's notice of pretrial conference.¹

¹ Additionally, as set forth in the Amended Stipulation (ECF No. 18), the Defendants will answer or otherwise respond to the Amended Complaint within 30 days of receiving electronic confirmation of Plaintiff's foreign service of process on XP Brazil.

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Absent a *sine die* adjournment, the parties are — pursuant to Your Honor's individual rules of practice — available to re-schedule the conference to August 28, September 11, or September 25 at a time that is most convenient for the Court. We thank the Court for its consideration.

Respectfully,

/s/ *Brian S. Choi*

Brian S. Choi

cc: ECF Counsel of Record



8/4/20

SO ORDERED.
ALISON J. NATHAN, U.S.D.J.